

## PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB00-838-A (228/213))

IN THE APPLICATION OF:

Eckstein *et al.*

Serial No. 08/936,657

Examiner: Schultz, James

Filed: September 24, 1997

Group Art Unit: 1635

Title MODIFIED RIBOZYMES

## TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Copy of the Summary of Errors
  - b. Response to the Office Action Mailed June 8, 2004
  - c. Substitute Sequence Listing in computer readable form (3.5" disk) and in paper copy
  - d. Return Receipt Postcard.
2. With respect to additional fees:  
  
☒ No additional fee is required.
3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490.  
A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7<sup>th</sup> day of July, 2004.

Date: July 7, 2004

By: Christopher P. Singer  
Christopher P. Singer  
Reg. No. 48,701



1635  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB00-838-A; 228/213)

In re the Application of:

Eckstein, et al.

Serial No.: 08/936,657

Filed: September 24, 1997

For: Modified Ribozymes

Group Art Unit: 1635

Examiner: James Schultz

RESPONSE TO THE OFFICE ACTION (SEQUENCE LISTING ERRORS),  
MAILED JUNE 8, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the following substitute sequence listing in computer readable form (3.5" disk) and in paper copy be entered in response to the Office Action, mailed on June 8, 2004. No fee is believed due with this filing; however if additional fees are due, the Commissioner is authorized to charge such fees to our deposit account 13-2490.

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on July 7, 2004.

Date: July 7, 2004

By: Christopher P. Singer

## **REMARKS**

### **Sequence Listing**

In response to the Office action, noting various errors in the sequence listing, and in compliance with 37 C.F.R. §§ 1.821-1.825, the applicant herewith submits the substitute computer readable form of the Sequence Listing on 3.5" disk and substitute paper copy of the sequence listing. The substitute CRF copy (CD-R) and the substitute paper copy of the Sequence Listing are identical.

The Sequence Listing has been amended in accordance with the sequence listing for the parent case, as well as to conform to the requirements of 37 C.F.R. §§ 1.821-1.825. The substitute sequence listing has been generated from the specification and does not constitute new subject matter. The Sequence Listing has been checked with Checker Version 4.2. No error was found.

The CRF and the paper copy of the substitute Sequence Listing are identical in content, as required by 37 C.F.R. § 1.821(f).

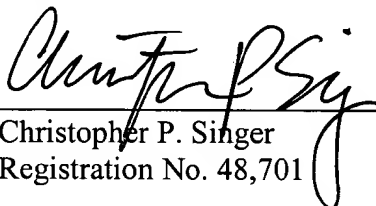
### **Conclusion:**

If the Examiner has any questions regarding this Response, the Examiner is invited to call the undersigned.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: 07/07/2004

By:

  
\_\_\_\_\_  
Christopher P. Singer  
Registration No. 48,701



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20040604

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Attached please find an error report generated while attempting to process the computer readable format (CRF) sequence listing submitted March 22, 2004. Sequences 12 and 13 define "N" as being of variable length, which is improper, since variable length entries are not permitted. Correction is required.

JOHN L. LeGUYADER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600